

REMARKS

Upon entry of the amendments in this paper, claims 1, 2, 4, 6-12, 14-16, 19, 21-24, and 26 will be pending in the above-identified application. Claims 17, 25, and 27-30 are cancelled herein without prejudice or disclaimer. Claims 1, 10 and 19 are herein amended. Support for the amendments is at least found at page 4, line 10 to page 7, line 11 and Figs. 1A to 1E. No new matter is entered.

It is respectfully submitted that this paper is fully responsive to the Office action mailed on September 17, 2008.

Applicants' Response to the Claim Rejections under 35 U.S.C. §103

Claims 1-2, 4-6, 9-12, 14, 17, 19, 21-22 and 31-33 are rejected under 35 U.S.C. §103(a) as being unpatentable over Cho et al. in view of Lou et al.

In response thereto, applicants respectfully submit that the combination of Cho and Lou do not render the present invention as now claimed obvious for at least the reason that the combination does not provide for all the features of the claims, nor do the references provide a basis whereby a skilled artisan could derive the claimed invention.

Specifically, there is no basis in Cho and Lou whereby a skilled artisan would derive the features of parent claims 1, 10 and 19.

As now presented:

Claim 1 recites a feature: "a partial area of the underlying surface **is covered with the antireflection film** patterned in the step (b), and the underlying surface exposed and not covered

with the antireflection film patterned in the step (b) is larger than a surface of the antireflection film exposed and not covered with the resist pattern after the step (a) and before the step (b)".

Claim 10 recites a feature: "a surface of the first film exposed after the step (m) and **before the step (n)** is larger than the surface of the antireflection film exposed after the step (l) and before the step (m)". The step (n) is performed **before the step (o): removing the resist pattern and the antireflection film.**

Claim 19 recites a feature: "a surface of the first film exposed after patterning the antireflection film and **before removing the antireflection film** is larger than the surface of the antireflection film exposed after developing the resist film and before patterning the antireflection film". (All emphasis added).

The present rejection cites to Cho and maintains that: "as illustrated in figures 3A, 3B, 3C and 3D, the underlying surface exposed after the etching of the antireflection film, the surface area exposed of the underlying insulating layer is larger than the surface area of the antireflection film exposed after the development of the photoresist (see figure 3D)". See page 3, lines 6-10 of the Office Action. Hence, the Office Action asserts that the exposed surface of insulating film (205) illustrated in figure 3D is larger than the exposed surface (a2) of the antireflection film 206 illustrated in figure 3A.

However, as noted above, parent claims 1, 10, and 19 have been amended, in summary referring to claim 19, to clarify that a surface of the first film exposed after patterning the antireflection film and before removing the antireflection film is larger than the surface of the

antireflection film exposed after developing the resist film and before patterning the antireflection film

In contrast, in regard to claim 1, the insulating film (205) illustrated in figure 3D of Cho **is not covered with the antireflection film (206)**. Further, in regard to claims 10 and 19, figure 3D of Cho illustrates a structure **after removing the resist pattern (208) and the antireflection film (206)**. As such, Cho does not teach the above features of the parent claims, nor does the reference provide a basis for adopting this feature. In regard to Lou, the reference likewise does not disclose any equivalent features, and accordingly has not been relied upon by the rejection.

Wherefore, applicants respectfully submit that the present invention pursuant to parent claims 1, 10, 19 and their respective dependent claims is not obvious in light of the combination of Cho and Lou.

Claims 7-8 and 15-16 are rejected under 35 U.S.C. §103 (a) as being unpatentable over Cho et al. in views of Lou et al. and Ohkuni et al.

Claims 23-26 are rejected under 35 U.S.C. §103 (a) as being unpatentable over Cho et al. in views of Lou et al. and Tsai et al.

Claims 27-30 are rejected under 35 U.S.C. §103(a) as being unpatentable over Cho et al. in view of Knegae et al.

Applicants respectfully submit that by addressing the rejections of parent claims 1, 10 and 19, as detailed above, the rejections of claims 7-8, 15-16 and 23-26 are likewise addressed based on their respective dependencies. As noted above, claims 27-30 have been canceled herein; wherefore, the rejection is now moot.

Application No.: 10/692,722
Art Unit: 1795

Amendment under 37 C.F.R. §1.111
Attorney Docket No.: 032045

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Michael J. Caridi", with a long, sweeping horizontal line extending to the right.

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